

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18305 of 2017

Vijendra, aged about 28 years, son of Shri Dayanand, resident of No. 960,
Gali No. 3, Rajeev Nagar, Gurgaon, Haryana

... .. Petitioner/s

Versus

1. The State Of Bihar through Excise Commissioner, New Secretariat,
Patna
2. District Magistrate, Gopalganj
3. The Superintendent of Police, Gopalganj

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Archana Sinha @ Archana Shahi, Advocate Mr. Alok Kumar Shahi, Advocate
For the Respondent/s	:	Mr. Anil Kr.Sinha-GA1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2017 This writ petition has been filed for release of Tata 407 bearing Registration No. HR39 D-8289 which has been seized in connection with Excise Case No. 481 of 2017 for violation of the Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

Seeking release of the vehicle in question, this writ petition has been filed and it is common ground that in various cases, similar petitions have been allowed and pending finalization of the confiscation proceedings, seized vehicle has been directed to be released.



Keeping in view the aforesaid, this writ petition is also allowed and the vehicle in question, i.e. Tata 407 bearing Registration No. HR39 D-8289 shall be released to the petitioner on his furnishing adequate Bank Guarantee to the satisfaction of the District Magistrate, Gopalganj within a period of one week from the date of furnishing the Bank Guarantee, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings before the District Magistrate, Gppalganj so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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